

James Lynn O'Hines 197067
Name and Prisoner/Booking Number

ASPC Florence Elymum Complex Smur
Place of Confinement

Box 3400 S - D - 40
Mailing Address

Florence Ar 85232
City, State, Zip Code

2004	1983
FILING FEE PAID	
Yes	No
MPP MOTION FILED	
Yes	No
COPIES SENT TO	
Court	Priso

FILED

JUN - 2 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY KMM DEPUTY

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**Southern District Fed. Courts -
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

*Quasi-Jurisdiction Civil Fed
Dist Cts of San Diego de.*

James Lynn O'Hines

(Full Name of Plaintiff)

Plaintiff

vs.

) CASE NO. 08 CV 1005 JLS RBB

(To be supplied by the Clerk)

(1) Deputy Warden Toers Bijn

(Full Name of Defendant)

(2) Gov. Janet Napolitano

(3) Dir. of Corrections Don B. Scherris

(4) Warden John Dorrieros

Defendant(s).

Check if there are additional Defendants and attach page 1-A listing them.

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**

- Original Complaint
 First Amended Complaint
 Second Amended Complaint

A. JURISDICTION

- This Court has jurisdiction over this action pursuant to: 28 USC 1404 (a) Venue Trans.
 - 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
 - 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
 - Other: 28 USC 1332, 28 USC 1404 (a), Diversity Jurisdiction, Change of Venue Fed Trans.
- Institution/city where violation occurred: Alhambra, Buckley, Florence, via Atascadero State Hosp.

B. DEFENDANTS

1. Name of first Defendant: Toers Bijns. The first Defendant is employed as: Warden Deputy at Florence Az.
 (Position and Title) (Institution)
2. Name of second Defendant: Gov Janer Napolitano. The second Defendant is employed as: Governor at FLORENCE.
 (Position and Title) (Institution)
3. Name of third Defendant: Dora B. Schriro. The third Defendant is employed as: Director of Corrections at Florence, Buckley, Alhambra.
 (Position and Title) (Institution)
4. Name of fourth Defendant: John O'Conor. The fourth Defendant is employed as: Ombudsman Warden at FLORENCE.
 (Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? Yes No
2. If yes, how many lawsuits have you filed? 3. Describe the previous lawsuits:
- a. First prior lawsuit:
- Parties: aka Sackoor Mallay 186989 v. George Galaza Jr.
 - Court and case number: 99 cv 6647 Fresno East Dist of Calif.
 - Result: (Was the case dismissed? Was it appealed? Is it still pending?) dismissed
- b. Second prior lawsuit:
- Parties: James Lynn O'Hines v. B'nal B'rith Society
 - Court and case number: CV06 2297 Phoenix Fed Dist Court
 - Result: (Was the case dismissed? Was it appealed? Is it still pending?) dismissed
- c. Third prior lawsuit:
- Parties: James Lynn O'Hines v. Peter Deoddah & Assoc
 - Court and case number: CV 05 8412 phx Sat Vam PHX FED DIST
 - Result: (Was the case dismissed? Was it appealed? Is it still pending?) dismissed

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

COUNT I

1. State the constitutional or other federal civil right that was violated: The Right to not be threatened by Institutional Classification Staff on a daily basis over computer ips/ips. Isolated & Segregated.

2. Count I. Identify the issue involved. Check only one. State additional issues in separate counts.

- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input checked="" type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. Supporting Facts. State as briefly as possible the FACTS supporting Count I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

1- Defendant: Deputy Warden Toers Bijnas (who?) from 12-31-07 to 5-28-08 to 5-22-10.

2. Statement: I will, we will tie you up on a fucking gurney and kill you like your fucking Mother at the Hospital in St. Louis Mo, we are for Abigail Folger and Shanon Tate". Internal Affairs w/ computer ... Audio video oppression.
* Plaintiff's Uncle was at San Quentin prison death Row, and was loosely associated to Charlie Manson.

* Plaintiff's Mother in 1989 by B'nai B'rith Society was at Hospital denied a sign-out Against Medical Advice vindictively by Florence Stutts Supt. Warden & Sister Warden Robert Stewart, Mrs Henderson, Werner Monn Thompson Hines Glendale Az. police Det. Smith & T. Rice, G. Williams, all Classification Officers com' Ford & Com' Smith aka Fidem maker, Medical Malpractice MTA Lisa Elzy Dr. Leone, Dr. Berkman Dr. Justice M.D Inc. She as Linda Sue Preston. Hines is Abigail Folger's Cousin and Bobby Bujaloes Sister from San Quentin prison.

* Plaintiff's child abused 1996 - 97 - 99 and in 2004 & 2005 Calit to Ariz.

3. This oppressing by State Agency Website surveillance in /out of custody denies equal access to Federal funded State prison Rehab programs, w/ physical impairment, a record of and after Rule 11 being regarded as a "psych case". To subjugate by surveillance.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s). Over Extended Smut housing to obstruct due process 6th Amend Const Violation Right of, eg. Criminal infringement, Computer Stalking, Reverse Racial, Sexual Religion, Discriminations. Serious physical injuries 2006, 2008* retro to 2004. Censorship, oppression of L.O.S 0%
Forced righting of New Mexican staff for interracial controversy w/ ips in /out of custody.

5. Administrative Remedies:

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Count I? Yes No
- c. Did you appeal your request for relief on Count I to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. N/A.

COUNT II

1. State the constitutional or other federal civil right that was violated: The Right to be free from adverse association of Mexicans, Blacks, Asians, for Active Supervision, or Affirmative Action by White Jewish - Protestant political Administration Schwarzenegger to Napolitano for oppression.

2. Count II. Identify the issue involved. Check only one. State additional issues in separate counts.

- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input checked="" type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. Supporting Facts. State as briefly as possible the FACTS supporting Count II. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

1. (Gov. Javie Napolitano (who?) from Sept 12 2004, Oct 7 2004 to Early Release Date as: 5-22-10. (when?) State Capital civil disobedience w/ South Mountain Div- Phoenix Police and Fire Dept. to evade felony prosecution of rogue officers from California Los Angeles County area connected to Brentwood Homicides, their and means child abduction & exploitation Lancaster to Silver City, N.M. (why?) Retro-Active 1994, 1982, 1989 (ex) 2. The active supervision competitively is Satanism. Tracey Lawrence Keith Urban Karin Kalin, by those at Champaign-Urbana Illinois, California & Arizona for copy right and criminal infringements, of domain claim private property personal effects papers, etc. to capitalize financially only. At University of Illinois Graduates yes w/ unish under Gov. Napolitano X-District Atty. from Pete Wilson Calif Dept of Corr, denying justice, & recognized accreditations.

* Officer Tony havi (or) of San Diego in phoenix Oct, 2004 w/ plaintiff and child A recognized Satanist son of Karla Harvey, Anna Harvey.

* Officer Helms, Authorizations of rule violation Report that plaintiff assaulted her is a false statement, Writs against conditions of dures as original, nor mailed out to Pinal Co.

* Silver City, N.M. anticipated place of parole is prison industry complex connected to California.

3. Instructed by supervisors to fight mexicans, jewish whites, blacks, & Asian gangs in custody and forced into desolate areas out of custody for survival in racial fueling denies freedom of life, liberty, limb, and obstructs due process rights by sound stress and places in jeopardy w/ others to harm.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

loss of earliest possible release date, overdues for a Federal placement as Homicide Witness.
loss of songs and melodies and financial status to Stovall Esq. Countryman p.c. Atty for defendant.
loss of child's life after calling C.P.S. Sopr and Oct 2004 from State Capitol, O.A. office &

Various locations. loss of State Assembly Sacramento Ca Correspondence Inc: child custody.

5. Administrative Remedies.

- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- Did you submit a request for administrative relief on Count II? Yes No
- Did you appeal your request for relief on Count II to the highest level? Yes No
- If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. N/A.

COUNT III

1. State the constitutional or other federal civil right that was violated: To not be psychiatrically forced into an ambulatory defensive state of mind by "accessio" by denial, nor physically forced into illness.

2. Count III. Identify the issue involved. Check only one. State additional issues in separate counts.

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input checked="" type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. Supporting Facts. State as briefly as possible the FACTS supporting Count III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

- 1 Dora B. Schriro, AZ Dept of Corr Director - (who?)
- 2 Severe pressures at verbal aural-audio, Authority Supervisor Commands towards an inmate, paroller to defend himself, or request services legal mail, law library, Food as others receive, Medical attention needs, from State Hospital Atascadero to phoenix State Capital area w/ surgically operated eardrums is automation. Ambulatory defense to distract, disrupt and destroy opportunity for equal protection of the laws, parole services rehab programs of a visually impaired, competent person. In no Arizona State prison system for illegal video supervisor continuing obstruction oppression is major cause concern. Call to AZ, * At Alhambra, audio-video instructed fighting. * From 1300 W. Pierce and Grand Ave and Maricopa County jail and Courts. * At Buckeye, inmates told to injure others for racial & religious sexual reasons in three man cells to show cause and injury hospitalizing the plaintiff again from Day at arrest out of custody to current unfinished medical operation on leg in custody w/ paralyzed nerve damages, poor blood circulation, infection of skin stitches not sewed correctly w/ out therapy or proper follow up by in house Doctors. * At Florence, Audio, slander, libel, defamatory of character as "White Nigger", "Smitly", "Fugger" by 90%.
- 3 This causes serious risks of violence by other yrs. Damage to Healthy Body, w/ serious injury. differentially treated compared to others for Los Angeles Co. % at Ariz. Dept of Corr.

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

Leg and right thigh immobile from knee to mid-thigh muscle & tissue damages loss of feeling. Migraine Headaches by screens in cell from parabolic speakers and digital telephone surveillance. Heart Diet needed denied for argument as racial religious sexual Reverse Discrimination.

Loss of Release date for "audio-video games" with Mexican Capt Ortiz, Munache, Hernandez et al.

5. Administrative Remedies.

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Count III? Yes No
- c. Did you appeal your request for relief on Count III to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. N/A

If you assert more than three Counts, answer the questions listed above for each additional Count on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

preliminary injunctions as T.R.O. of Florence 4% and I.C.C. Charge at Venus and Federal Transfer to Federal Hospital. To strip computer as a prejudicial weapon. As chased by electronic surveillance out of Board & Care Home San Diego to Phoenix Violations of public A § 25. 500.-\$ a day and/or 25,000. or damages since State Capital area to State prison subjugation as found competent by Rule 114 3.07 900.00 total owed. Cease over ruled for illegal practices and procedures by State & Church Officials w/ Joe Arpaio Sheriff. "Fixed jury" "G.J.I." "alleged Victim" selective prosecution New D.A. P.A.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-24-08

DATE

James Lynn O'Neil 142267
SIGNATURE OF PLAINTIFF

N/A

(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

pro bono person James Lynn O'Neil

(Signature of attorney, if any)

Middle Ground Prison Reform

139 East Encanto Dr

Tempe AZ 85281

480 - 966 8116

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space, you may attach no more than fifteen additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages.

JS44

(Rev. 07/89)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

(a) PLAINTIFFS

James Lynn O'Hines

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

James Lynn O'Hines
PO Box 3400
Florence, AZ 85232
#197067

CIVIL COVER SHEET

2008 JUN 2	
FILING FEE PAID	
Yes	DEFENDANTS
No	
MOTION PENDING	
Yes	
No	
COPIES SERVED TO	
Court	Pro Se
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND	

Toers-Bijns
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [Signature]

FILED

JUN - 2 2008

100-00000000

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

'08 CV 1005 JLS RBB

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)
 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)
(For Diversity Cases Only)

PT	DEF	PT	DEF
<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reappointment
<input type="checkbox"/> Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury-Medical Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	PERSONAL PROPERTY	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 371 Truth in Lending	SOCIAL SECURITY	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 861 HIA (1395k)	<input type="checkbox"/> 850 Securities/Commodities Exchange
<input type="checkbox"/> 160 Stockholders Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 875 Customer Challenge 12 USC
<input type="checkbox"/> Other Contract	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 863 DIWC/DIW (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability			<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 892 Economic Stabilization Act
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 865 RSL (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	FEDERAL TAX SUITS	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 240 Tort to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 950 Constitutionality of State
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 550 Civil Rights		<input type="checkbox"/> 990 Other Statutory Actions
<input type="checkbox"/> 290 All Other Real Property				

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- 1 Original Proceeding 2 Removal from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: YES NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE

6/12/2008

SIGNATURE OF ATTORNEY OF RECORD

R. Muller